

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ohta, et al. Art Unit : 1647
Serial No. : 10/630,967 Examiner : Daniel C. Gamett, Ph.D.
Filed : July 31, 2003 Conf. No. : 1847
Title : METHOD OF ENHANCING NEURAL STEM CELL PROLIFERATION,
DIFFERENTIATION, AND SURVIVAL USING PITUITARY ADENYLYLATE
CYCLASE ACTIVATING POLYPEPTIDE (PACAP)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), STEM CELL THERAPEUTICS INC., certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 014803, Frame 0047 on December 16, 2003.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of undersigned's knowledge and belief, title is in STEM CELL THERAPEUTICS INC..

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of the patent to issue from U.S. application serial no. 10/231,479 provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with the patent to issue from U.S. application serial no. 10/231,479.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of the patent to issue from U.S. application serial no. 10/231,479 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term,

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except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of the patent to issue from U.S. application serial no. 10/231,479.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

The fee in the amount of \$65 for the required fee pursuant to 37 C.F.R. § 1.20(d) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 29, 2006

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